

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE

In the Matter of the Maintenance Classification
Review of the Position of:

LABORATORY MANAGER II
DEPARTMENT OF AGRICULTURE

Appeal filed by: Teresa A. Crenshaw Docket 12-09-567C

ORDER ACCEPTING FINDINGS OF THE INDEPENDENT REVIEWER

On July 12, 2012, OMB/HRM Director of Human Resources Linda McCloskey issued a memorandum to the Secretary of the Department of Agriculture, providing the final results of the maintenance classification review for the Department, to be effective July 1, 2012. The maintenance review resulted in the Agriculture Compliance Officer position (pay grade 17) being reclassified to Laboratory Manager II (pay grade 18).

On September 11, 2012, Teresa A. Crenshaw, Laboratory Manager II, filed an appeal asserting not all of her job duties are included under the new classification specification and that another classification (Environmental Program Administrator (pay grade 21)) is a more accurate description of her position.

Upon receipt of the appeal and the agency's response, this matter was assigned to MERB Independent Reviewer, Eunice Z. Craig, on October 19, 2012. The independent review included the following:

- Review of Ms. Crenshaw's classification appeal form.

- Interview on October 23, 2012 with appellant Teresa Crenshaw at the Department of Agriculture, Administration Building, 2320 S. DuPont Highway, Dover.
- Review of the Organizational Chart for the Delaware Department of Agriculture and the chart for Agriculture Compliance.
- Review of the notes of the Department of Agriculture for classification of positions.
- Review of the class specifications for Agricultural Compliance Officer, Laboratory Manager I and II, Environmental Manager I and II and Environmental Program Administrator.
- Review of the notes and analysis of the classification maintenance review team.

The Independent Reviewer issued her Findings and Recommendations on November 19, 2012 in which she summarized her findings and recommendations:

SUMMARY OF FINDINGS:

Laboratory Manager II classification represents certain key duties of the appellant who does oversee a laboratory unit plus administers several programs (soil, food products, etc.) which products are analyzed in the laboratory. The appellant does not manage multiple laboratory units, as the level of work for the classification indicates.

Environmental Program Administrator classification does not represent the key duties of the appellant because she does not oversee multiple programs that are run by managerial subordinates. The appellant has no managerial reports that are responsible for their own programs.

Class specifications are descriptive and not restrictive. Every job duty or responsibility will not necessarily be listed. Since neither classification completely represents the responsibilities of the appellant, the Laboratory Manager II classification more closely represents most of the key duties of the appellant.

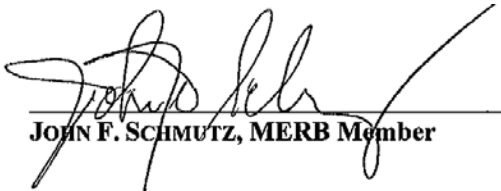
RECOMMENDATION: The appellant is properly classified as Laboratory Manager II because her duties are sufficiently represented in her classification.

The recommendation was forwarded to the appellant and to the Office of Management and Budget as required by 29 Del.C. §5915(e). The recommendations were not disputed by the parties and were accepted.

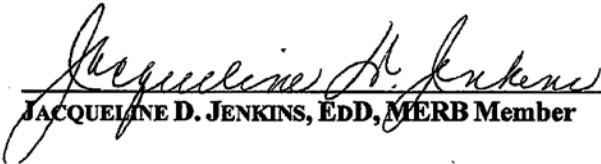
WHEREFORE, the Merit Employee Relations Board convened on January 30, 2013, and by motion, unanimously accepted the Findings and Recommendations of the Independent Reviewer, pursuant to 29 Del.C. §5915(e)


MARTHA K. AUSTIN, MERB Chairwoman


VICTORIA D. CAIRNS, MERB Member


JOHN F. SCHMUTZ, MERB Member


PAUL R. HOUCK, MERB Member


JACQUELINE D. JENKINS, EDD, MERB Member

Dated: January 31, 2013